

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

MICHAEL ALONZA RUFUS,)	
)	
Petitioner,)	
)	
vs.)	Case No. 6:14-cv-03581-TLW
)	
SOCIAL SECURITY)	
ADMINISTRATION,)	
)	
Respondent.)	
)	
)	

ORDER

Petitioner Michael Alonza Rufus, an inmate at the Riverbend Correctional Facility in Milledgeville, Georgia, filed this pro se habeas petition pursuant to 28 U.S.C. § 2241. This matter is before the Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Kevin McDonald, to whom this case was assigned pursuant to 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2)(c), (D.S.C.). In the Report, the Magistrate Judge recommends that this Court dismiss the petition without prejudice. (Doc. #13). On October 14, 2014, this Court issued an Order granting Petitioner’s motion for an extension of time to file objections to the Report and directing that Petitioner file his objections by November 13, 2014. (Doc. #19). Petitioner has filed no objections.

The Court is charged with conducting a de novo review of any portion of the Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained therein. 28 U.S.C. § 636. However, in the absence of objections to the Report, the Court is not required to give any explanation for adopting the Magistrate Judge’s recommendation. See Camby v. Davis, 718 F.2d 198, 200 (4th Cir. 1983). In such a

case, “a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

In light of this standard, the Court has carefully reviewed the Report and concludes that it accurately summarizes the case and the applicable law. Accordingly, it is hereby **ORDERED** that the Report and Recommendation is **ACCEPTED**. (Doc. #13). For the reasons articulated by the Magistrate Judge, the petition is **DISMISSED** without prejudice. (Doc. #1).

Because Petitioner has failed to make “a substantial showing of the denial of a constitutional right,” the Court concludes that it is not appropriate to issue a certificate of appealability as to the issues raised herein. See 28 U.S.C. § 2253(c)(2). Petitioner is advised that he may seek a certificate from the Fourth Circuit Court of Appeals under Rule 22 of the Federal Rules of Appellate Procedure.

IT IS SO ORDERED.

s/ Terry L. Wooten

Terry L. Wooten
Chief United States District Judge

November 18, 2014
Columbia, South Carolina